

**R392. Health, Disease Control and Prevention, Environmental Services.**

**R392-702. Cosmetology Facility Sanitation.**

**R392-702-1. Authority and Purpose.**

- (1) This rule is authorized under Sections 26-1-5, 26-1-30, and 26-15-2.
- (2) This rule establishes minimum standards for the sanitation, operation, and maintenance of a cosmetology facility, as defined by this rule, and provides for the prevention and control of health hazards associated with a cosmetology facility that are likely to affect public health including risk factors contributing to injury, sickness, death, and disability.

**R392-702-2. Applicability.**

- (1) This rule applies to facilities in which one or more individuals are engaged in any of the following practices, unless specifically exempted:
  - (a) barbering;
  - (b) barbering instruction;
  - (c) cosmetology/barbering;
  - (d) cosmetology/barbering instruction;
  - (e) electrology;
  - (f) electrology instruction;
  - (g) esthetics;
  - (h) master-level esthetics;
  - (i) esthetics instruction;
  - (j) hair design;
  - (k) hair design instruction;
  - (l) nail technology; or
  - (m) nail technology instruction.
- (2) This rule applies to the following school facilities:
  - (a) a barbering school;
  - (b) a cosmetology/barbering school;
  - (c) an electrology school;
  - (d) an esthetics school;
  - (e) a hair design school; or
  - (f) a nail technology school.
- (3) This rule does not apply to:
  - (a) physicians, surgeons, nurses, other medical persons, or morticians, if licensed to practice their respective professions in Utah, and if engaged in the personal performance of the duties of their respective profession;
  - (b) a commissioned physician or surgeon serving in the armed forces of the United States or another federal agency;
  - (c) a person who visits the state to engage in instructional seminars, advanced classes, trade shows, or competitions of a limited duration;
  - (d) a person providing instruction in workshops, seminars, training meetings, or other educational programs whose purpose is to provide continuing professional development to licensed barbers, cosmetologists/barbers, hair designers, estheticians, master estheticians, electrologists, or nail technicians;
  - (e) an employee of a company that is primarily engaged in the business of selling products used in the practice of barbering, cosmetology/barbering, esthetics, master-level esthetics, electrology, or nail technology when demonstrating the company's products to a potential customer; or
  - (f) the practice of ear piercing; body art; body painting; body piercing; face painting; henna tattoos and permanent tattoos; threading; microblading; permanent makeup; tanning by UV radiation and spray tanning units; injectables; mortuary services; massage; body wraps when performed by a massage therapist; or hair braiding.

**R392-702-3. Definitions.**

As used in this rule:

- (1) "Barber" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing to perform barbering; or any person engaged in the practice of barbering for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.
- (2) "Chemical disinfectant" means:
  - (a) a solution of EPA-registered bactericidal, fungicidal, and virucidal disinfectants used according to manufacturer's directions; or
  - (b) a chlorine bleach solution in a concentration range of between 200 ppm and 500 ppm.
- (3) "Clean" means the condition of being visibly free from dirt, soil, debris, or other materials not intended to be a part of the object in question.
- (4) "Client" means any person who enters a cosmetology facility, or school facility as listed in Subsection R392-702-2(2), with the intent to receive cosmetology services.

(5) "Cosmetologist/Barber" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing to perform cosmetology or barbering; or any person engaged in the practice of cosmetology/barbering for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(6) "Cosmetology facility" means any structure, dwelling, or business where cosmetology, barbering, or associated professional services, as listed in Subsection R392-702-2(1), are practiced.

(7) "Department" means the Utah Department of Health.

(8) "Disinfection" means the use of a chemical disinfectant to destroy pathogens on reusable implements and other non-porous, nonliving surfaces or to prevent the growth of pathogenic organisms, which thereby renders an item safe for handling and use.

(9) "Dwelling" means a building or structure that is intended or designed to be used, rented, leased, let or hired out for human habitation. A mobile vehicle or mobile structure is not a dwelling.

(10) "Electrologist" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing to engage in the practice of electrology; or any person engaged in the practice of electrology for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(11) "Esthetician" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing who engages in the practice of basic esthetics or master esthetics; or any person engaged in the practice of basic esthetics or master esthetics for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(12) "Eyelash technician" means an individual who is engaged in the practice of eyelash technology and is licensed by the Utah Division of Occupational and Professional Licensing to engage in the practice of cosmetology/barbering or esthetics; or any person engaged in the practice of eyelash technology for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(13) "Eyelash technology" means the application, removal, and trimming of threadlike natural or synthetic fibers to an eyelash, including the cleansing of the eye area and lashes.

(14) "Foot bath" means any basin, tub, sink, or bowl using non-circulating water in the practice of cosmetology, esthetics, or nail technology.

(15) "Hair braiding" has the same meaning as provided in Subsection 58-11a-102(18).

(16) "Hair designer" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing to engage in the practice of hair design; or any person engaged in the practice of hair design for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(17) "Hot water" means water heated to a temperature of not less than 110° F at the outlet.

(18) "Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that can cause infection, disease transmission, vermin infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death.

(19) "Informational notice" means a notice developed by the department that contains:

- (a) a local health department's contact information;
- (b) a link to the website containing this rule;
- (c) a list of specific provisions of this rule commonly found out of compliance in a cosmetology facility;
- (d) a link or QR code to an official complaint form; and
- (e) any other information the department determines relevant for encouraging sanitary conditions in a cosmetology facility.

(20) "Licensed professional" means a barber, cosmetologist/barber, electrologist, esthetician, hair designer, nail technician, as defined in this rule, or an instructor in a school facility as listed in Subsection R392-702-2(2).

(21) "Linens" means towels, sheets, headbands, robes, capes, drapes and other reusable textiles commonly used in a cosmetology facility.

(22) "Local health department" has the same meaning as provided in Subsection 26A-1-102(5).

(23) "Local health officer" means the health officer of the local health department having jurisdiction, or a designated representative.

(24) "Nail technician" means an individual who is licensed by the Utah Division of Occupational and Professional Licensing to engage in the practice of nail technology; or any person engaged in the practice of nail technology for the public generally, with or without compensation, whether as owner, operator, instructor, or demonstrator.

(25) "Operator" means any licensed professional as defined in this rule, or any person who owns, leases, manages or controls, or who has the duty to manage or control a cosmetology facility.

(26) "Pedicure" means any of the following:

- (a) cleaning, trimming, softening, or caring for the nails or cuticles of the feet;
- (b) the use of manual instruments or implements on the nails or cuticles of the feet;
- (c) callus removal by sanding, buffing, or filing including electric filing; or
- (d) massaging of the feet or lower portion of the leg.

(27) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

- (28) "Plumbing fixture" means a receptacle or device that is connected to the water supply system of the premises; or discharges wastewater, liquid-borne waste materials, or sewage to the drainage system of the premises.
- (29) "Practice of barbering" has the same meaning as provided in Subsection 58-11a-102(29).
- (30) "Practice of basic esthetics" has the same meaning as provided in Subsection 58-11a-102(31).
- (31) "Practice of cosmetology/barbering" has the same meaning as provided in Subsection 58-11a-102(32).
- (32) "Practice of electrology" has the same meaning as provided in Subsection 58-11a-102(34).
- (33) "Practice of hair design" has the same meaning as provided in Subsection 58-11a-102(37).
- (34) "Practice of master-level esthetics" has the same meaning as provided in Subsection 58-11a-102(39).
- (35) "Practice of nail technology" has the same meaning as provided in Subsection 58-11a-102(40).
- (36) "Service Animal" has the same meaning as provided in Section 35.104 of the Americans with Disabilities Act

Title II Regulations.

- (37) "Waxing" means a treatment in which superfluous hair is removed from a client's face or body by:
  - (a) covering the hair with a thin layer of soft wax after which a paper or fabric strip is applied and pressed firmly into the wax and then quickly pulled away, removing the wax and body hair; or
  - (b) covering the hair with a thin layer of heated hard wax after which the wax is allowed to cool, and is then quickly pulled away, removing the wax and body hair.
- (38) "Whirlpool foot spa" means any basin using circulating water, either in a self-contained unit or in a unit that is connected to other plumbing in the cosmetology facility. A drain-and-fill circulating foot spa is considered a self-contained whirlpool foot spa.

**R392-702-4. General Requirements.**

- (1) Except as specified in Subsection (2), this rule does not require a construction change in any portion of the cosmetology facility if the facility was operating in compliance with applicable laws and ordinances in effect before enactment of this rule. A cosmetology facility that is newly established more than 90 days after the enactment date of this rule shall operate in full compliance with the rule.
- (2) The local health officer may require construction changes consistent with this rule if it is determined the cosmetology facility or portion thereof is dangerous, unsanitary, a nuisance or menace to life, health or property, or that it creates an imminent health hazard.
- (3) A cosmetology facility located in a private residence or dwelling shall be exempt from the requirements of Section R392-702-5.
- (4) Any operator of a cosmetology facility involved in the practice of nail technology, waxing, eyelash extensions, or esthetics; or the instruction thereof, shall:
  - (a) obtain a free informational notice from:
    - (i) the local health department with jurisdiction over the cosmetology facility location; or
    - (ii) the department's website; and
  - (b) post the informational notice in a location that is readily visible to an individual entering the cosmetology facility.
- (5) Subsection (4) does not apply to any cosmetology facility with a current permit issued by the local health department.
- (6) The local health department may impose a fine in accordance with Section 26-23-6 for a violation of Subsection (4).
- (7) The department shall revise and update the informational notice as needed.

**R392-702-5. Construction and Operating Requirements.**

- (1)(a) Floors and interior walls in areas where licensed services are performed, including restrooms and areas where chemicals are mixed or stored, or where water may splash, shall be constructed with smooth, durable, non-porous, and easily cleanable materials, except that anti-slip applications or plastic floor coverings may be used for safety reasons. Carpet is permitted in all other areas.
- (b) Subsection (1)(a) does not apply to licensed cosmetic laser services. A commercial grade, low profile carpet may be used as an alternative in areas where only cosmetic laser devices are used.
- (2) Except in a lobby or reception area, tables, counters, chairs, and equipment in the cosmetology facility shall be constructed of durable, easily cleanable materials, and shall be maintained in good repair.
- (3) The operator shall maintain floors, walls, ceilings, shelves, furniture, furnishings, and fixtures in good condition, clean and free from an accumulation of hair, nails, skin, wax, liquids, and other debris.
- (4) The operator shall provide adequate covered waste receptacles conveniently located in the facility to contain debris and other solid waste and to prevent the accumulation of solid waste in or around the cosmetology facility or its premises.
- (5)(a) Plumbing in the facility shall comply with Plumbing Code, including backflow prevention requirements.
- (b) Plumbing fixtures shall be free from any cracks or disrepair that would prevent proper cleaning, and shall be maintained in a clean and operable condition.
- (c) The water heater shall be of sufficient size to accommodate each attached appliance and fixture when used simultaneously.
- (6) Each cosmetology facility, or adjacent common area, shall have a restroom that is accessible to operators and clients, and is equipped with:

- (a) a toilet;
  - (b) a handwashing sink with hot and cold running water;
  - (c) liquid or foam soap and toilet tissue in suitable dispensers;
  - (d) single-use towels or an alternate hand drying method approved by the local health officer; and
  - (e) a solid, durable, and easily cleanable waste receptacle.
- (7)(a) In addition to the handwashing sink required in Subsection (6)(b), each operator shall have unobstructed access within the facility to at least one handwashing sink that is equipped with:
- (i) hot and cold running water;
  - (ii) liquid or foam soap in a suitable dispenser;
  - (iii) single-use towels or an alternate hand drying method approved by the local health officer; and
  - (iv) a solid, durable, and easily cleanable covered waste receptacle;
- (b) A shampoo bowl may be used as a handwashing sink when it meets the requirements of Subsection (7)(a).
- (c) A foot bath or whirlpool foot spa may not be used as a handwashing sink.
- (8)(a) A cosmetology facility shall be equipped with a closable cabinet, bin, or room for:
- (i) storage of cleaning and disinfecting chemicals; and
  - (ii) storage of chemicals or products used in licensed practices.
- (b) Any hazardous cleaning agents, chemicals, or employee medications located in the restroom shall be kept in a locked cabinet not accessible to the public.
- (9) A cosmetology facility shall be equipped with a designated area for the storage of disinfected implements, and an area for the storage of clean towels and linens.
- (10)(a) When not in use, each clean and disinfected implement, tool, and material shall be stored in a designated area, separate from soiled implements and materials.
- (b) An operator shall store personal items away from clean and disinfected implements and materials.
- (11)(a) Each area having a nail station where a nail technician files or shapes an acrylic nail, as defined in rule by the Division of Occupational and Professional Licensing, shall comply with Section 15A-3-402.
- (b) Cosmetologists/barbers, estheticians, and nail technicians shall limit the accumulation of strong, irritating vapors in a cosmetology facility by:
- (i) ventilating any areas where such vapors originate;
  - (ii) keeping the applicable chemical products in a separate room with a closable, tight-fitting door; and
  - (iii) closing the packages or containers of chemical products after use; or
  - (iv) selecting chemical products without strong, irritating vapors.
- (12) The cosmetology facility shall be provided with a light source equivalent to at least 25 foot-candles 30 inches off the floor, except that at least 60 foot-candles shall be provided at the level where the licensed service is being performed and where instruments are disinfected.
- (13) An operator shall perform services only in areas that are dedicated solely for licensed practice.
- (14) A cosmetology facility located in a mobile vehicle or mobile structure shall operate in compliance with this rule, and with city and county laws, regulations, and ordinances regarding water storage, wastewater disposal, electrical and power supply, commercial motor vehicles, vehicle insurance, safety, noise, signage, parking, commerce, business, and other local government requirements. It is the responsibility of the operator to investigate applicable mobile cosmetology facility requirements in each jurisdiction where the mobile cosmetology facility operates, and to ensure compliance with the requirements.

**R392-702-6. General Cleaning, Sanitation, Operational, and Maintenance Requirements.**

- (1)(a) An operator shall use good personal hygiene habits while providing licensed services.
- (b) Before providing any licensed service to a client, operators shall thoroughly wash their hands with soap and water and dry them with single-use towels or an alternate hand drying method approved by the local health officer.
- (c) An operator may use a liquid or foam hand sanitizer in lieu of handwashing when changing gloves or switching tasks while providing any licensed service to the same client.
- (2)(a) Before disinfecting any surface or item, any visible debris and disposable parts shall be removed and the surface or item shall be washed with detergent and water or wiped with an all-purpose cleaning agent, rinsed thoroughly, and disinfected according to manufacturer's directions.
- (b) Any cleaning agent or chemical disinfectant not in the original container shall have a legible label with the name of the agent and directions. If the original container with directions is available, directions are not required to be repeated on the new container label.
- (3)(a) Except when washable or disposable covers are replaced after each client, equipment such as facial chairs, beds, and headrests shall be cleaned and disinfected after each client.
- (b) Equipment such as chairs, counter surfaces, cupboards, drawers, mats, and dryers shall be maintained clean.
- (4) Before use on a new client, any non-electric multi-use implements or tools intended to touch skin or hair shall be cleaned and disinfected in the following sequential manner:
- (a) remove visible debris;
  - (b) clean with detergent and water;
  - (c) rinse with water;

- (d) disinfect by:
  - (i) completely immersing the implement or tool, including handles, in a chemical disinfectant according to manufacturer's directions; or
  - (ii) spraying or wiping the implement or tool with a chemical disinfectant according to manufacturer's directions;
  - (e) rinse with water; and
  - (f) dry before storing as specified in Subsection R392-702-5(10).
- (5) At the conclusion of each client service, electric equipment including electric clippers, nail e-files, curling irons, flat irons, glass or metal electrodes, high frequency wands, esthetic machines, steamers, diffusers, wax pots and paraffin warmers, or other electric or electronic tools that cannot be immersed in liquid shall be cleaned and disinfected, including the equipment body, handle, and attached cord, before each use in the following sequential manner:
  - (a) remove visible debris;
  - (b) disinfect with a chemical disinfectant spray or wipe according to the manufacturer's directions; and
  - (c) store as specified in Subsection R392-702-5(10).
- (6) Plastic guards and any nonmetal removable parts shall be removed, cleaned, and disinfected as required in Subsection (4).
- (7) Skin care machines and equipment shall be cleaned and disinfected according to the manufacturer's directions.
- (8) Chemical disinfectants, including sprays and wipes, shall be prepared and used according to the manufacturer's directions, including contact time, safety precautions, dilution requirements if any, and proper disposal.
- (9)(a) If concentrated chemical disinfectants must be diluted with water, measuring devices shall be readily available and used to ensure an effective solution is made.
  - (b) Unless otherwise directed by the disinfectant label, chemical disinfectant solutions shall be made at least weekly.
  - (c) Chemical disinfectant solutions shall be disposed of and replenished immediately if visible debris is present or if a lack of disinfection effectiveness is otherwise indicated.
- (10) The operator may use a chlorine bleach solution as a chemical disinfectant when the following requirements are met:
  - (a) before dilution by the operator, chlorine bleach contains 5.25% to 6.15% sodium hypochlorite;
  - (b) bleach contains no fragrances, thickeners, or foaming agents;
  - (c) chlorine test strips are accessible to the operator, and are used to verify chlorine concentration is between 200 and 500 ppm; and
  - (d) chlorine bleach is not placed or stored near other chlorine-reactive chemicals used in cosmetology facilities including acrylic monomers, alcohol, ammonia, or other disinfecting products, or near flame.
- (11) Immediately after use on a single client, the operator shall dispose of single-use equipment, implements, tools, or porous items including nail files, pedicure files, natural pumice, sanding bands, sleeves, heel and toe pumice, exfoliating blocks, buffer blocks, cotton swabs, cotton balls, cotton pads, sponges, gauze, cuticle pushers, disposable applicators, lancets, fabric strips, single-use gloves, neck strips, tissues, thread, disposable wipes, and disposable towels.
- (12) Hair cuttings shall be removed from the floor and deposited in a waste receptacle after each haircut.
- (13)(a) The operator shall comply with manufacturer's directions for product and equipment use.
  - (b) When the manufacturer's directions require a patch test, the operator shall:
    - (i) offer a patch test; and
    - (ii) provide information to the client regarding the risk of potential adverse reactions to the product.
- (14)(a) Wax pots and paraffin warmers shall be kept covered and the exterior cleaned daily.
  - (b) If debris is found in the wax pot or paraffin warmer, or if the wax or paraffin has been contaminated by contact with skin, unclean applicators, or double-dipping, the wax pot or paraffin warmer shall be emptied, the wax shall be discarded, and the pot or warmer shall be disinfected as required in Subsection (5).
  - (c) Disposable spatulas and wooden sticks shall be dipped into the wax only once and then discarded without using the other end.
  - (d) Applicators shall be dipped only once into the wax unless the wax is a single-service item and unused wax is discarded after each service.
  - (e) Any surface touched by a used wax stick shall be cleaned and disinfected immediately after the service.
  - (f) Paraffin wax shall be portioned out for each client in a bag or other container, or dispensed in a manner that prevents contamination of the unused supply.
- (15) Any solid waste that may create a nuisance or imminent health hazard that is generated at a cosmetology facility and stored on its exterior premises shall be stored in a leak-proof, non-absorbent container with a tight-fitting lid that shall be kept closed except when placing waste in or emptying waste from the container.
- (16) Solid wastes shall be disposed with sufficient frequency and in such a manner as to prevent insect breeding, rodent harborage, or nuisance.

**R392-702-7. Linens and Laundry Service.**

- (1) The operator shall maintain a sufficient supply of clean linens, as defined in this rule, for each client's use.
- (2)(a) Any linens used to cover or protect a client shall not be used for more than one client and shall be deposited in a vented container or hamper labeled "soiled" immediately after use, and not used again until laundered.

(b) The operator shall launder used linens either by regular commercial laundering or by a noncommercial laundering process that includes washing with detergent and hot water in a washing machine, drying on hot with no moisture remaining, and immediately storing in accordance with Subsection (3).

(c) A laundry washing machine located in a cosmetology facility shall only be used for washing soiled linens.

(d) Plastic or nylon capes and aprons shall be washed in a laundry washing machine and:

(i) dried on any setting in a dryer; or

(ii) disinfected with a spray disinfectant.

(e) Clean linens shall not come in contact with soiled linens at any time.

(3) After washing and drying as required, the operator shall maintain and store linens in a clean and sanitary manner at a location free from the likelihood of contamination by vermin, wastewater, filth, or toxic chemicals in either:

(a) a clean, closed cabinet;

(b) a clean, solid, and easily cleanable closed container; or

(c) a designated room on a clean shelf.

(4) Laundry carts, baskets, and hampers shall be constructed with smooth, durable, non-porous, and easily cleanable materials, and shall be maintained in good condition. Washable laundry bags and liners are permitted.

(5) If laundry is processed at the cosmetology facility, the operator shall use the following procedures to prevent cross contamination from laundry hampers, carts, or baskets:

(a) visible debris is cleaned from laundry carts and baskets;

(b) carts and baskets used to store or transport used linens are disinfected each day of use with a chemical disinfectant; and

(c) separate containers including carts, baskets, hampers, and laundry bags are designated and used for storing and transporting clean and soiled linens.

### **R392-702-8. Specific Health and Sanitation Requirements -- Practice of Nail Technology.**

(1) Before performing any nail technology services, nail technicians shall wash their hands with soap and water. After which, nail technicians shall clean the areas of the client's body on which the service is to be performed.

(2) Manicure tables and surfaces that may contact the client's hands, wrists, or arms shall be cleaned and disinfected before use for each client.

(3)(a) The nail technician shall portion products from multi-use containers into individual-use containers for each client, as required by manufacturer's directions and recognized industry standards.

(b) When finger bowls or reusable containers are used during nail technology services, they shall be replaced with cleaned and disinfected containers for each client.

(4) Before use for each client, the operator shall clean and disinfect each whirlpool foot spa in the following sequential manner:

(a) water is drained and visible debris is removed from the spa basin;

(b) the spa basin is cleaned with detergent, rinsed with clean water, and drained; and

(c) after cleaning, the whirlpool foot spa is disinfected with chemical disinfectant according to manufacturer's directions for 10 minutes or the time stated on the label as follows:

(i) the spa basin is filled with clean water;

(ii) the appropriate amount of chemical disinfectant is added;

(iii) the unit is turned on to circulate the chemical disinfectant for the entire contact time; and

(iv) after disinfection, the whirlpool foot spa is drained and rinsed with clean water.

(5) Before use for each client, the operator shall clean and disinfect each non-circulating foot bath, as defined in this rule, in the following sequential manner:

(a) drain the foot bath and remove any visible debris;

(b) scrub the foot bath with a clean brush, detergent, and water;

(c) rinse the foot bath with clean water;

(d) disinfect the foot bath with a chemical disinfectant according to the manufacturer's directions for 10 minutes or the time stated on the label;

(e) rinse the foot bath with clean water; and

(f) allow the foot bath to air dry if not placed immediately back into service.

(6) At the conclusion of each business day, the operator shall clean and disinfect each used whirlpool foot spa in the following sequential manner:

(a) remove the filter screen, inlet jets, and other removable parts from the basin and clean out any debris trapped behind or in them;

(b) using a brush, scrub the parts described in Subsection (6)(a) with detergent;

(c) rinse the parts described in Subsection (6)(a) with clean water and place them back into the basin apparatus;

(d) fill the basin with clean water and add a chemical disinfectant, following label directions;

(e) turn the unit on and circulate the system with the chemical disinfectant solution for 10 minutes or the time stated on the label; and

(f) after disinfection, drain the spa basin, rinse with clean water, and air dry.

(7)(a) A local health officer may exempt an operator from the requirements of Subsection (5) when the operator uses a removable spa basin liner in a non-circulating foot bath when the liner is discarded after each client.

(b) The operator shall adhere to the requirements of Subsections (4) and (6) even when using a removable spa basin liner in a whirlpool foot spa.

(8)(a) Before soaking a client's feet in a foot bath or whirlpool foot spa, the operator shall examine the client's feet and legs for any condition that may weaken the skin barrier.

(b) If open sores or skin wounds are present, including insect bites, scratches, or scabbed-over wounds, the operator shall explain to the client that the foot bath or whirlpool foot spa should not be used.

(9) Only electric files or machines specifically designed and manufactured for use in the practice of nail technology may be used in any cosmetology facility for performing nail technology services. Craft, hardware, and hobby, or other similar type tools, or kitchen utensils shall not be used under any circumstances.

(10) After each use on a single client, diamond, carbide, and metal bits shall be:

(a) cleaned of visible debris by either:

(i) using a brush;

(ii) using an ultrasonic cleaner according to manufacturer's directions; or

(iii) immersing the bit in acetone for 10 minutes; and

(b) disinfected by complete immersion in a chemical disinfectant according to manufacturer's directions.

#### **R392-702-9. Specific Health and Sanitation Requirements -- Practice of Basic and Master Esthetics.**

(1) Estheticians shall wash their hands with soap and water before performing any licensed services on a client.

Gloves shall be worn during any type of extraction.

(2) Equipment, multi-use implements, and tools and materials shall be properly cleaned and disinfected after servicing each client as described in Section R392-702-6.

(3) The following items that are used during services shall be replaced with clean items for each client:

(a) disposable and cloth towels;

(b) hair caps;

(c) headbands;

(d) brushes;

(e) gowns;

(f) makeup brushes; and

(g) other items used for a similar purpose.

(4)(a) Items subject to possible cross contamination such as creams, cosmetics, astringents, lotions, removers, waxes, moisturizers, masks, oils and other preparations shall be used in a manner so as not to contaminate the remaining product.

(b) Applicators shall not be re-dipped in product.

(c) The following procedures are permitted to avoid cross contamination:

(i) dispose of the remaining product before beginning services on each client;

(ii) use a single-use disposable applicator device to apply product and disposing of such device after use;

(iii) use an applicator bottle to apply the product; and

(iv) dispense product from a multi-use container into a separate container for single client use.

(5) An esthetician shall not dispense any service product directly from a container with ungloved fingers.

#### **R392-702-10. Specific Health and Sanitation Requirements -- Eyelash Extension Services.**

(1) The practice of eyelash extension services shall only be performed by a licensed cosmetologist/barber, esthetician or master esthetician.

(2) Eyelash technicians shall wash their hands thoroughly with soap and water before performing any licensed services on a client.

(3) Equipment, implements, and materials including eyelash stands, holders, pallets, and trays shall be cleaned and disinfected in accordance with Section R392-702-6 before providing any licensed service.

(4) Glue pallets and holders shall be:

(a) used on only one client, and disposed according to Subsection R392-702-6(11) after each client; or

(b) cleaned and disinfected in accordance with Subsection R392-702-6(4) before use with each client.

(5) Reusable items that are used during services shall be replaced with clean items for each client, including:

(a) cloth towels;

(b) hair caps, headbands, and gowns; and

(c) brushes and spatulas that contact skin or products from multi-use containers.

(6) An operator shall use only properly labeled semi-permanent glue and semi-permanent glue remover, intended and approved for use on humans around the eyes, in accordance with the manufacturer's directions.

(7) Eyelash extensions shall be stored in a clean, closed container or sealed in the original packaging, and shall be kept in a clean, dry, debris-free storage area.

(8)(a) Contaminated eyelash extensions shall not be used or reused on a client.

(b) When removing eyelashes from the container or package to portion out eyelashes for a service, an eyelash technician shall use disinfected scissors, blade, or other tool to snip a portion of a strip, or a disinfected tweezer to portion out the lashes for each service.

**R392-702-11. Prohibited Products and Practices.**

- (1) Operators shall not use any of the following substances or products in performing cosmetology services:
  - (a) Methyl Methacrylate Liquid Monomers (MMA);
  - (b) razor-type callus shavers designed and intended to cut or shave growths of skin such as corns and calluses, including credo blades or "microplanes," unless licensed with the Utah Division of Professional Licensing as a Master Esthetician;
  - (c) styptic pencil, alum, or other astringent in stick or lump form except that alum or other astringents in powder or liquid form are acceptable; and
  - (d) fumigants such as formalin or formaldehyde tablets or liquids.
- (2) Multiple-use roll-on wax is prohibited. Single-use roll-on wax cartridges are acceptable but shall be disposed of immediately after service. Roll-on wax cartridges warming in a wax heater shall have an intact seal. The heating unit is subject to the requirements of Subsection R392-702-6(5), and shall be cleaned and disinfected after each use.
- (3) UV sterilizers or light boxes shall not be used as an infection control device in a cosmetology facility. This does not apply to UV dryers or ultraviolet lamps used to dry or cure nail products.
- (4) Electric or battery-operated equipment or implements not specifically manufactured for use on humans are prohibited.
- (5) Live fish, leeches, snails, and other living creatures shall not be used in the practice of cosmetology/barbering, esthetics, or nail technology.
- (6)(a) Only service animals assisting persons with disabilities are permitted in a cosmetology facility. Pets, emotional support animals, comfort animals, and therapy animals are not permitted.
- (b) Animal beautification or pet grooming services shall not be performed in a cosmetology facility.
- (7) An operator shall not perform licensed cosmetology services on a client if:
  - (a) the operator has a known contagious disease of a nature that may be transmitted by performing the procedure, unless the operator takes medically approved measures to prevent transmission of the disease; or
  - (b) the client has a known contagious disease of a nature that may be transmitted by performing the procedure, unless the operator takes medically approved measures to prevent transmission of the disease.

**R392-702-12. Food Service.**

When food or beverage service is provided for cosmetology clients, food service, storage, and preparation shall comply with the FDA Model Food Code as incorporated and amended in Rule R392-100, Food Service Sanitation, and local health department regulations.

**R392-702-13. Inspections and Investigations.**

- (1) Upon presenting proper identification, the operator shall permit the local health officer to enter upon the premises of a cosmetology facility to perform inspections, investigations, and other actions as necessary to ensure compliance with this rule.
- (2) The operator shall have access to all cosmetology facility space, including leased space, and shall provide the local health officer with access to all cosmetology facility space.

**R392-702-14. Closing or Restricting Use of a Cosmetology Facility.**

- (1) If a local health officer deems a cosmetology facility or portion thereof to be an imminent health hazard, the cosmetology facility may be closed or its use may be restricted, as determined by the local health officer.
- (2) The operator shall restrict public access to the impacted area of any cosmetology facility closed or restricted to use by a local health officer within a reasonable time as ordered by the local health officer.
- (3) It shall be unlawful for an operator to allow the public to utilize any cosmetology facility or portion thereof that has been deemed unfit for use until written approval of the local health officer is given.

**KEY: cosmetologist/barber, hair salon, nail salon, esthetician**

**Date of Last Change: May 31, 2022**

**Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-1-30(23); 26-15-2**